

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THOMAS H. SPITTERS,

Plaintiff,

v.

PSYNERGY PROGRAMS,

Defendant.

Case No. [22-cv-05030-HSG](#)


**ORDER REVOKING IN FORMA
PAUPERIS STATUS**

Re: Dkt. No. 52

On December 18, 2023, Plaintiff Thomas Spitters filed a notice of appeal of this Court's December 13, 2023 order adopting Magistrate Judge Beeler's Report and Recommendation to dismiss the complaint, and the Clerk's subsequent entry of judgment in favor of Defendant Psynergy Programs. *See* Dkt. Nos. 47 & 48. On December 27, 2023, the Ninth Circuit referred the matter for the limited purpose of determining whether in forma pauperis ("IFP") status should continue for the appeal. *See* Dkt. No. 52. The Court finds that the issues presented by the appeal are frivolous. *See* 28 U.S.C. §§ 1915(a)(3), (e)(2)(B)(i); *Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002). Accordingly, the Court **REVOKES** Plaintiff's IFP status.

IT IS SO ORDERED.

Dated: 1/2/2024


HAYWOOD S. GILLIAM, JR.
United States District Judge